

**TESTIMONY BEFORE THE  
MICHIGAN HOUSE JUDICIARY COMMITTEE  
URGING BASIC PATIENT SAFETY PROTECTION**

by

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MAY 23, 2013

Good morning. I am Cathleen Graham and I am a Certified Hospice and Palliative Care Registered Nurse/Case Manager for one of the largest hospice programs in the nation. I have cared for patients, usually in their own homes, throughout the western part of our state – from Grand Rapids to Traverse City.

When cure is no longer possible, hospice offers intensive care focused on pain relief, comfort and the enhanced quality-of-life. I have been directly involved with the care of dozens of Michigan patients whose end-of-life journey was significantly improved by the use of medical cannabis made legal by the voters in 2008.

From my daily, personal experience with patients facing their final days, I have witnessed Medical Marijuana:

- decrease anxiety
- control nausea of a patient undergoing chemotherapy
- stimulate appetite in a patient facing malnutrition
- ease muscle spasms
- enhance a patient's ability to swallow
- reduce shortness of breath
- increase range-of-motion
- allow mental concentration
- calm agitation of a patient with Alzheimer's
- improve motor function
- decrease pain
- improve ability to sleep

It is fantastic that cannabis can be used to help so many specific afflictions that people at the end-of-life often have. Yet, its importance is even greater than that.

Studies have shown that nausea (usually with vomiting) occurs with **70% of terminally ill patients** – and my experience has shown that cannabis – delivered in a variety of forms (including drops, teas, and baked into sweets) – **can significantly relieve that nausea most of the time!**

Our hospice teams work hard to deliver symptom management and pain control that still permits patients the ability to interact with others. During the last few years, we have learned by real-world experience that cannabis can improve the quality of life for our patients whose days here are diminishing.

I wish I could report that this relief is available **because of the way** the *Michigan Medical Marihuana Program* is implemented. Sadly, this wonderful relief is **in spite of the way** the *M.M.M.P.* is implemented. At this point, much of the credit goes to many wonderful caregivers working together to provide cannabis products for these patients who need them the most. Unfortunately, this system can only begin to meet the needs. Michigan must enact a regulated distribution system that allows all with qualifying illnesses easy access to buying quality regulated cannabis medicine.

I am here in support of Rep. Mike Callton's bill, **HB 4271**, that creates a local-option, medical marihuana "provisioning system." The passage of this bill would mean thousands of Michigan residents at the end-of-life will finally be able to purchase a medicine their doctor and hospice team recommends.

When your committee considers this bill, I hope you'll add a couple amendments that would go even further to help protect patients. I say this because I believe that lawful marihuana users should have the same kind of confidence in knowing what is in their product as they do with other medications and herbal remedies.

First, there is a major problem we health care providers have in working with patients who choose to use marihuana: that is, the lack of basic label information required for all other medications (prescription, non-prescription and botanical).

Medical teams need certain basic information about what a patient is taking. Just look at any medication you may have (prescription or over-the-counter). You'll see it gives: the name, address of the company that made it, when it was made, a tracking number and bar code, and a certified list of all the active ingredients. Why shouldn't medical marihuana provide the same?

Second, the packaging of cannabis and, particularly edible cannabis products, should be regulated to promote safety for patients and their families. The law should mandate that marihuana and marihuana infused products be packaged in plain, opaque, child-proof containers. I would suggest you require "sealed, tamper-evident" containers. It's a small change but would do a lot for the safety of the product. It also will help

document the medication's chain of custody. We must recognize there are control issues with marihuana. Having tamper-evident packaging can help limit the diversion potential.

Finally, how can health care professionals, in good conscience, assist a patient with a medication that has been not been professionally tested for safety & purity?

Rep. Callton includes the mentioning of "Safety Compliance Facilities" in the bill - but there is no requirement they be used or that Provisioning Centers comply with typical safety standards, or that they fully label their products or for them to have marihuana tested for quality assurance.

I guess those who grow and sell marihuana will just have to be trusted to test it themselves. Seriously? We don't let that happen with the meat or milk we buy - but you want to let these dispensaries test the medication they sell themselves? Here in Michigan, we require even bottled water to be independently tested and the results put on the label.

I know those who will run the medical marijuana distribution program you approve, will not be bad people who would intentionally risk hurting anyone. But if you want to see what can happen, look at the horrible explosion that killed 18 people last month at a fertilizer plant in West, Texas. According to news reports, they haven't had an outside safety inspection since 1985. They filed a safety plan with the state and were supposed to be testing themselves. Sometimes good intentions are not enough.

This lack of safety testing is particularly disturbing with medical marihuana because in California, where they say a billion dollars' worth of this medication is sold every year; labs report consistently detecting unsafe levels of pesticides, microbiological contaminants, bacteria and mold in at least 1/3 of the medical cannabis tested! This is exceptionally dangerous for patients who have a compromised immune system.

Plus, without a full, professional analysis of the active ingredients, there cannot be consistency of dosage. We can't enter accurate information on the medical chart of a patient taking marihuana if we don't have a reliable report on the ingredients of that specific batch.

Attached to my testimony are proposed amendments that would address these concerns. They require that all medical marihuana be analyzed by an independent lab just before it is packaged. It should be held in quarantine until the lab results are in and they release it for sale.

The listing of all the active ingredients and the fact that it had passed both a microbiological analysis and a chemical residue analysis, should be printed on the label of all medical marihuana if it is going to be treated seriously as a medication.

These labels will then have accurate information that can help guide both medical teams and patients in making informed choices because it will allow for a specific dosage to be prescribed, like with all other medications.

Botanical medicine, such as cannabis, works better if it is used as part of an overall health care plan. These labels will aid medical professionals in the ability to provide a holistic approach to patient-centered care. It will help address consistency across multiple product types.

Hospice recognizes that providing a peaceful and comfortable death is an essential goal of health care -- and that death is not a failure, but rather, living and dying well, on your own terms, is an ultimate success.

With legal, regulated medical marijuana available for retail sale under HB 4271, thousands more of our friends, neighbors and families will also be able to find this victory.

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# *Proposed*

## **Patient Safety Amendment to HB 4271**

*Based on the principle that all medicine should be labeled with accurate and useful information.*

The requirements in HB 4271 should be clarified by adding 10 to Section 19:

10. In addition to all other licensure requirements, a medical marijuana dispensary shall not sell, transfer or give away any marijuana or marijuana product unless:

(a) It has a label with:

- 1) The medical marijuana dispensary name, address and telephone number;
- 2) A unique serial number and/or bar code that will match the product with a medical marijuana dispensary's batch so as to facilitate any warnings or recalls;
- 3) The date of dispensing the marijuana;
- 4) The quantity of marijuana dispensed;
- 5) The name of the qualifying patient and, where applicable, the registered primary caregiver;
- 6) The words – "WARNING: This contains marijuana. For a qualifying patient's medical use only." or substantially similar text;
- 7) The name of the certifying physician;
- 8) Such directions for the type of cannabis and for its use as may be included in the physician's written certification or otherwise provided by the physician;
- 9) A Safety Certification from an independent safety compliance facility which reports:
  - i All active ingredients that constitute at least one (1) wt. % of the marijuana in the product, to always include:
    - (i) delta 9-tetrahydrocannabinol (THC);
    - (ii) cannabidiol (CBD)

- ii A pass/fail rating based on a microbiological analysis that was completed immediately prior to final packaging;
  - iii A pass/fail rating based on a chemical residue analysis that was completed immediately prior to final packaging; medical marijuana dispensary and
  - iv Name and place of business of Independent Safety Compliance Facility and date final analyses were completed.
- (b) Such other information necessary to comply with state or local labeling requirements for similar products not containing marijuana, including but not limited to the Michigan Food Law (PA 92 of 2000, as amended); Michigan's Cottage Food Law (PA 113 of 2010, as amended); and the Michigan Modified Food Code.
- (c) Label must be printed on or securely attached to any package containing marijuana or a marijuana product. All marijuana and marijuana products shall be dispensed in sealed, tamper-evident containers that are child-resistant; opaque; and which comply with the definitions and the requirements of the Poison Prevention Packaging Act of 1970, 15 U.S.C. sections 1471 to 1476.
- (d) All marijuana and marijuana products shall be processed packaged and labeled according to the US Food and Drug Administration's *"Current Good Manufacturing Practice in Manufacturing, Packaging, Labeling, and/or Holding Operations for Dietary Supplements"* rule.
- (e) Marijuana products shall not be labeled "organic" unless the marijuana plants have been organically grown, produced, processed, and certified by an independent auditor to be consistent with organic standards as defined in the Michigan Organic Products Act (PA 316 of 2000, as amended).